

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**


<b>MEDARC, LLC, as Collection Agent for</b>	§	
<b>Jeffrey H. Mims, Trustee of the Liquidating</b>	§	
<b>Trust of Revolution Monitoring, LLC,</b>	§	
<b>Revolution Monitoring Management, LLC,</b>	§	
<b>and Revolution Neuromonitoring, LLC,</b>	§	
<b>Plaintiff,</b>	§	
<b>v.</b>	§	<b>Civil Action No. 3:21-CV-0159-N-BH</b>
	§	
<b>UNITEDHEALTH GROUP</b>	§	
<b>INCORPORATED, et al.,</b>	§	
<b>Defendants.</b>	§	

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

*Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint*, filed April 12, 2021 (doc. 26), is **GRANTED in part** and **DENIED in part**, and the nine claims relating to the HealthSelect of Texas (In-Area) Benefits Plan, a self-funded benefit plan operated by the Employees Retirement System of Texas and governed by the Texas Employers Group Benefits Act, Tex. Ins. Code § 1551.001, *et seq.*, are **DISMISSED without prejudice** for lack of jurisdiction.

**SIGNED** this 3<sup>rd</sup> day of December, 2021.

  
UNITED STATES DISTRICT JUDGE